

**UTILITY
PATENT APPLICATION
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

2501331-991111

First Inventor

Steven M. Watkins

Title

Novel Ways of Assessing Metabolic Processes

Express Mail Label

EV331871368US

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

ADDRESS TO:

Commissioner for Patents
Mail Stop Patent Application
P. O. Box 1450
Alexandria VA 22313-1450

- 1.
- ☒
- Fee Transmittal Form (e.g., PTO/SB/17)
-
- (Submit an original, and a duplicate for fee processing)

- 2.
- ☒
- Applicant claims small entity status.
-
- See 37 CFR 1.27.

- 3.
- ☒
- Specification [Total Pages
- 43**
-]
-
- (preferred arrangement set forth below)

- Descriptive title of the invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R & D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

- 4.
- ☐
- Drawing(s) (35 U.S.C. 113) [Total Sheets
- 8**
-]

5. Oath or Declaration (2) [Total Pages
- 8**
-]

- a.
- ☐
- Newly executed (original or copy)

- b.
- ☒
- Copy from a prior application (37 CFR 1.63(d))
-
- (for continuation/divisional with Box 18 completed)

- i.
- ☐
- DELETION OF INVENTOR(S)**
-
- Signed statement attached deleting inventor(s)
-
- named in the prior application, see 37 CFR
-
- 1.63(d)(2) and 1.33(b).

- 6.
- ☐
- Application Data Sheet. See 37 CFR 1.76

- 7.
- ☐
- CD-ROM or CD-R in duplicate, large table or
-
- Computer Program (Appendix)
-
8. Nucleotide and/or Amino Acid Sequence Submission
-
- (if applicable, all necessary)

- a.
- ☐
- Computer Readable Form (CRF)

- b. Specification Sequence Listing on:

- i.
- ☐
- CD-ROM or CD-R (2 copies); or

- ii.
- ☐
- Paper

- c.
- ☐
- Statements verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☒ Nonpublication Request under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35
or its equivalent.
17. ☒ Other: Copies of Express Aband. from parent appln. &
Notice to Withdraw filed in PCT Appln.

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment,
-
- or in an Application Data Sheet under 37 CFR 1.76:

- ☒
- Continuation
- ☐
- Divisional
- ☐
- Continuation-in-part (CIP) of prior application No.:
- 10/383,671**

Prior application information: Examiner **Unknown**Group / Art Unit: **1743**

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS☒ Customer Number or Bar Code Label

29585

or ☐ Correspondence address below

(Insert Customer No. or Attach bar code label here)

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Registration No. (Attorney/Agent)

43,360

Signature

Date July 9, 2003

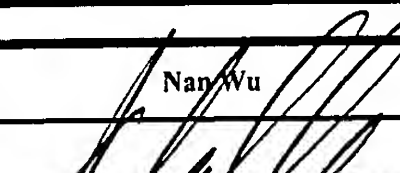
This collection of information is required by 37 CFR 1.53(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| FEE TRANSMITTAL for FY 2003 <small>Effective 01/01/2003. Patent fees are subject to annual revision.</small> | | Complete if Known | |
|--|--|--------------------------|-------------------|
| | | Application Number | New |
| <input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27 | | Filing Date | Herewith |
| | | First Named Inventor | Steven M. Watkins |
| TOTAL AMOUNT OF PAYMENT (\$) \$954.00 | | Examiner Name | Unknown |
| | | Group Art Unit | Unknown |
| | | Attorney Docket No. | 2501331-991111 |

| METHOD OF PAYMENT (check all that apply) | | FEE CALCULATION (continued) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|--|--------------|---|----------|--------------|--------------|-----------------|----------|----------|----------|--|--|------|------|-------------------------------------|--|------|------|--|--|------|------|-----------------------------|--|------|------|--|--|------|------|--|--|------|------|---|--|------|------|--|--|------|------|---|--|------|------|--|--|------|------|---|--|------|------|--|--|------|------|------------------|--|------|------|--|--|------|------|--------------------------|--|------|------|---|--|------|------|----------------------------------|--|------|------|------------------------------------|--|------|------|--------------------------------|--|------|------|------------------|--|------|------|-----------------|--|------|------|-------------------------------|--|------|------|---------------------------------------|--|------|------|--|--|------|------|--|--|------|------|---|--|------|------|--|--|------|------|---|--|------|------|---|--|---------------------------|--|--|--|-----------------------------------|--|-------------------------|--|
| <input checked="" type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None | | 3. ADDITIONAL FEES | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number: 07-1896 Deposit Account Name: Gray Cary Ware & Freidenrich | | <table border="1"><thead><tr><th>Large Entity</th><th>Small Entity</th><th>Fee Description</th><th>Fee Paid</th></tr><tr><th>Fee Code</th><th>Fee Code</th><th></th><th></th></tr></thead><tbody><tr><td>1051</td><td>2051</td><td>Surcharge - late filing fee or oath</td><td></td></tr><tr><td>1052</td><td>2052</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr><tr><td>1053</td><td>1053</td><td>Non - English specification</td><td></td></tr><tr><td>1812</td><td>1812</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr><tr><td>1804</td><td>1804</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr><tr><td>1805</td><td>1805</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr><tr><td>1251</td><td>2251</td><td>Extension for reply within first month</td><td></td></tr><tr><td>1252</td><td>2252</td><td>Extension for reply within second month</td><td></td></tr><tr><td>1253</td><td>2253</td><td>Extension for reply within third month</td><td></td></tr><tr><td>1254</td><td>2254</td><td>Extension for reply within fourth month</td><td></td></tr><tr><td>1255</td><td>2255</td><td>Extension for reply within fifth month</td><td></td></tr><tr><td>1401</td><td>2401</td><td>Notice of Appeal</td><td></td></tr><tr><td>1402</td><td>2402</td><td>Filing a brief in support of an appeal</td><td></td></tr><tr><td>1403</td><td>2403</td><td>Request for oral hearing</td><td></td></tr><tr><td>1451</td><td>1451</td><td>Petition to institute a public use proceeding</td><td></td></tr><tr><td>1452</td><td>2452</td><td>Petition to revive - unavoidable</td><td></td></tr><tr><td>1453</td><td>2453</td><td>Petition to revive - unintentional</td><td></td></tr><tr><td>1501</td><td>2501</td><td>Utility issue fee (or reissue)</td><td></td></tr><tr><td>1502</td><td>2502</td><td>Design issue fee</td><td></td></tr><tr><td>1503</td><td>2503</td><td>Plant issue fee</td><td></td></tr><tr><td>1460</td><td>1460</td><td>Petitions to the Commissioner</td><td></td></tr><tr><td>1807</td><td>1807</td><td>Processing fee under 37 CFR § 1.17(q)</td><td></td></tr><tr><td>1806</td><td>1806</td><td>Submission of Information Disclosure Statement</td><td></td></tr><tr><td>8021</td><td>8021</td><td>Recording each patent assignment per property (times number of properties)</td><td></td></tr><tr><td>1809</td><td>2809</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr><tr><td>1810</td><td>2810</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr><tr><td>1801</td><td>2801</td><td>Request for Continued Examination (RCE)</td><td></td></tr><tr><td>1802</td><td>1802</td><td>Request for expedited examination of a design application</td><td></td></tr><tr><td colspan="4">Other fee (specify) _____</td></tr><tr><td colspan="2">SUBTOTAL (1) (\$) \$375.00</td><td colspan="2">SUBTOTAL (3) (\$) _____</td></tr></tbody></table> | | Large Entity | Small Entity | Fee Description | Fee Paid | Fee Code | Fee Code | | | 1051 | 2051 | Surcharge - late filing fee or oath | | 1052 | 2052 | Surcharge - late provisional filing fee or cover sheet | | 1053 | 1053 | Non - English specification | | 1812 | 1812 | For filing a request for <i>ex parte</i> reexamination | | 1804 | 1804 | Requesting publication of SIR prior to Examiner action | | 1805 | 1805 | Requesting publication of SIR after Examiner action | | 1251 | 2251 | Extension for reply within first month | | 1252 | 2252 | Extension for reply within second month | | 1253 | 2253 | Extension for reply within third month | | 1254 | 2254 | Extension for reply within fourth month | | 1255 | 2255 | Extension for reply within fifth month | | 1401 | 2401 | Notice of Appeal | | 1402 | 2402 | Filing a brief in support of an appeal | | 1403 | 2403 | Request for oral hearing | | 1451 | 1451 | Petition to institute a public use proceeding | | 1452 | 2452 | Petition to revive - unavoidable | | 1453 | 2453 | Petition to revive - unintentional | | 1501 | 2501 | Utility issue fee (or reissue) | | 1502 | 2502 | Design issue fee | | 1503 | 2503 | Plant issue fee | | 1460 | 1460 | Petitions to the Commissioner | | 1807 | 1807 | Processing fee under 37 CFR § 1.17(q) | | 1806 | 1806 | Submission of Information Disclosure Statement | | 8021 | 8021 | Recording each patent assignment per property (times number of properties) | | 1809 | 2809 | Filing a submission after final rejection (37 CFR § 1.129(a)) | | 1810 | 2810 | For each additional invention to be examined (37 CFR § 1.129(b)) | | 1801 | 2801 | Request for Continued Examination (RCE) | | 1802 | 1802 | Request for expedited examination of a design application | | Other fee (specify) _____ | | | | SUBTOTAL (1) (\$) \$375.00 | | SUBTOTAL (3) (\$) _____ | |
| Large Entity | Small Entity | Fee Description | Fee Paid | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Fee Code | Fee Code | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1051 | 2051 | Surcharge - late filing fee or oath | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1052 | 2052 | Surcharge - late provisional filing fee or cover sheet | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1053 | 1053 | Non - English specification | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1812 | 1812 | For filing a request for <i>ex parte</i> reexamination | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1804 | 1804 | Requesting publication of SIR prior to Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1805 | 1805 | Requesting publication of SIR after Examiner action | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1251 | 2251 | Extension for reply within first month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1252 | 2252 | Extension for reply within second month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1253 | 2253 | Extension for reply within third month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1254 | 2254 | Extension for reply within fourth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1255 | 2255 | Extension for reply within fifth month | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1401 | 2401 | Notice of Appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1402 | 2402 | Filing a brief in support of an appeal | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1403 | 2403 | Request for oral hearing | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1451 | 1451 | Petition to institute a public use proceeding | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1452 | 2452 | Petition to revive - unavoidable | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1453 | 2453 | Petition to revive - unintentional | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1501 | 2501 | Utility issue fee (or reissue) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1502 | 2502 | Design issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1503 | 2503 | Plant issue fee | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1460 | 1460 | Petitions to the Commissioner | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1807 | 1807 | Processing fee under 37 CFR § 1.17(q) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1806 | 1806 | Submission of Information Disclosure Statement | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 8021 | 8021 | Recording each patent assignment per property (times number of properties) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1809 | 2809 | Filing a submission after final rejection (37 CFR § 1.129(a)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1810 | 2810 | For each additional invention to be examined (37 CFR § 1.129(b)) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1801 | 2801 | Request for Continued Examination (RCE) | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 1802 | 1802 | Request for expedited examination of a design application | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| Other fee (specify) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| SUBTOTAL (1) (\$) \$375.00 | | SUBTOTAL (3) (\$) _____ | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

| SUBMITTED BY | | Complete (if applicable) | |
|---------------------|--|-----------------------------------|----------------|
| Name (Print/Type) | Nan Wu | Registration No. (Attorney/Agent) | 43,360 |
| Signature |  | Telephone | (415) 836-2500 |
| | | Date | July 9, 2003 |

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**NONPUBLICATION REQUEST
UNDER
35 U.S.C. 122(b)(2)(B)(i)**

| | |
|----------------------|---|
| First Named Inventor | Steven M. Watkins |
| Title | Novel Ways of Assessing Metabolic Processes |
| Atty Docket Number | 2501331-991111 |

I hereby certify that the invention disclosed in the attached application **has not* and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

*The invention disclosed in the attached application is the subject of PCT Application No. PCT/US03/07150, filed on March 7, 2003. However, concurrently herewith applicant is filing with the International Bureau a Notice to Withdraw the PCT application for the purpose of preventing publication of that application. A copy of this Notice to Withdraw is attached hereto.

July 9, 2003

Date


SignatureNan Wu (Reg. No. 43,360)

Typed or printed name


This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

This collection of information is required by 37 CFR 1.213(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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| | | | |
|---|-------------------------------------|----------------------------|-------------------------------------|
| CERTIFICATE OF MAILING BY "EXPRESS MAIL" (37 CFR 1.10) | | | Docket No. 2501331-991111 |
| Applicant(s): Steven M. Watkins | | | |
| Serial No. 10/383,671 | Filing Date March 7, 2003 | Examiner Unknown | Group Art Unit 1743 |
| Invention: NOVEL WAYS OF ASSESSING METABOLIC PROCESSES | | | |
| <p>I hereby certify that the following correspondence:</p> <div style="border: 1px solid black; padding: 10px; margin: 10px 0;"><p>Complete copy of parent Application No. 10/383,671, filed March 7, 2003.</p></div> <p style="text-align: center;"><i>(Identify type of correspondence)</i></p> <p>is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on</p> <p style="text-align: center;"><u>July 9, 2003</u> <i>(Date)</i></p> <div style="text-align: right; margin-top: 20px;"><p><u>Ta-Tanisha L. Moore</u> <i>(Typed or Printed Name of Person Mailing Correspondence)</i></p><p><u></u> <i>(Signature of Person Mailing Correspondence)</i></p><p><u>EV331871368US</u> <i>("Express Mail" Mailing Label Number)</i></p></div> | | | |
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CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)

Applicant(s):

Docket No.

2501331-991110

Serial No.

10/383,671

Filing Date

March 7, 2003

Examiner

Unknown

Group Art Unit

1743

Invention: NOVEL WAYS OF ASSESSING METABOLIC PROCESSES

I hereby certify that this Petition for Express Abandonment to Avoid Publication under 37 CFR 1.138(c)
(Identify type of correspondence)

is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. (703) 305-8568)

on July 9, 2003
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Ta-Tanisha L. Moore

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